

NO. 63807

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 02 1998 NEW PRIORITY DATE: NOV 22 1999
 Returned to applicant for correction FEB 19 1998
 Corrected application filed MAR 23 1998
 Map filed DEC 14 1990 under 55529

The applicant Cliff & Bertha Gardner, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is (East Side Well)
2. The amount of water applied for is 0.0150 second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for, stockwater
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") 500 animals Horses & cows
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24 T29N, R58E. MDB&M, or at a point from which S $\frac{1}{4}$ corner of said Sec. 24 bears S. 89° 55' 07" E., 901.24'.
6. Place of Use SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, T.29N, R.58E., M.D.B.&M.
7. Use will begin about January 1st and end about December 31st of each year.
8. Description of proposed works Four troughs. 4' x 10' in size
9. Estimated cost of works \$1200.00
10. Estimated time required to construct works works have been completed
11. Estimated time required to complete the application of water to beneficial use All works have been completed.
12. Remarks: The map that is to accompany this application is one and the same as was submitted along with applications 55529 and 55531.

By Cliff Gardner
 s/Cliff Gardner
 HCR 60 Box 700
 Ruby Valley, NV 89833

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.015 cubic feet per second, or sufficient to water 481 head of cows and horses.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 5, 1999

Proof of completion of work shall be filed before:

August 5, 1999

Application of water to beneficial use shall be filed on or before:

July 5, 2001

Proof of the application of water to beneficial use shall be filed on or before:

August 5, 2001

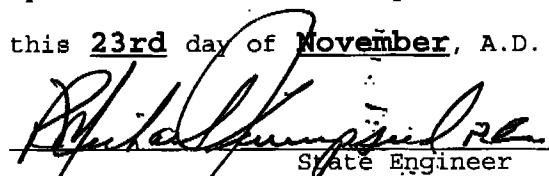
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 23rd day of November, A.D. 1998

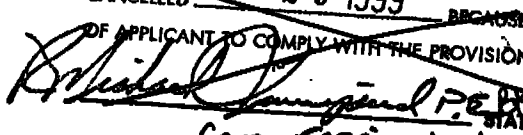

State Engineer

Completion of work filed MAR 14 2000

Proof of beneficial use filed JUL 30 2001

Cultural map filed _____

Certificate No. 15871 Issued OCT 22 2001

CANCELLED SEP 29 1999
BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER
Can rescinded 3-16-00